

THOMAS SIMPSON.

FEBRUARY 29, 1840.

Laid on the table.

Mr. RUSSELL, from the Committee of Claims, made the following

REPORT:

*The Committee of Claims, to whom was referred the petition of Thomas Simpson, late receiver of public moneys in the State of Alabama, claiming an increased compensation for the travel and risk of transporting the public money from the place of collection to that of deposite, make the following report:*

The receivers of public moneys are entitled by law to an annual salary of five hundred dollars each; in addition to which, the Secretary of the Treasury is authorized to allow a reasonable compensation for transporting to, and depositing such money in, any bank, or other place of deposite, that may from time to time be designated by him for that purpose: which compensation is to be regulated according to the actual labor, expense, and risk of such transportation and deposite, to the place of deposite, and returning therefrom; provided that the whole amount which any receiver of public moneys shall receive shall not exceed, for any one year, the sum of two thousand five hundred dollars, exclusive of salary. Pursuant to the authority given to the Secretary of the Treasury by the law of 22d May, 1826, on the 1st day of May, 1831, he issued a circular, of which the annexed is a copy. Under these regulations, the petitioner was appointed receiver at the land office in Demopolis, in the State of Alabama, which he held for two years and six months, including the years 1834 and 1835, and the two first quarters of the year 1836; during which time he received and deposited in bank, at Mobile, in the State of Alabama, one million two hundred and fifty-one thousand dollars. The distance from Demopolis to Mobile, by land, is about one hundred and sixty miles, and, by water, about three hundred miles.

For the year 1834, the petitioner received:

The salary fixed by law	-	-	-	-	\$500 00
For commissions	-	-	-	-	2,500 00
For risk in depositing money	-	-	-	-	400 20
For travel to deposite money	-	-	-	-	256 00

Total for 1834 - - - - - 3,656 20

For the year 1835, the petitioner received :

For salary	-	-	-	-	-	-	\$500 00
For commissions	-	-	-	-	-	-	2,500 00
For risk in depositing money	-	-	-	-	-	-	1,214 40
For travel to deposit money	-	-	-	-	-	-	376 00

Total in 1835	-	-	-	-	-	-	4,590 40
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For the two first quarters of 1836, the petitioner received :

For salary	-	-	-	-	-	-	\$250 00
For commissions	-	-	-	-	-	-	1,250 00
For risk in depositing money	-	-	-	-	-	-	388 00
For travel to deposit money	-	-	-	-	-	-	184 00

Total in 1836	-	-	-	-	-	-	2,072 00
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For the two years and a half service, including risk and commissions, the petitioner received \$10,318 60, exclusive of other allowances for stationery, &c. ; and he now claims an additional allowance of \$1,406 61. The compensation allowed and paid to the petitioner has been regulated by the Treasury circular of the 1st of May, 1831, to which reference has been made, and the law under which that circular was issued ; and if the allowance in this case is made, every receiver of public money in the United States, who, by possibility, may travel the most circuitous and hazardous of several routes from his office to the place of deposit, will, with as much plausibility as does the petitioner in the present instance, urge upon the Government an increased allowance for travel and risk. This the committee believe cannot be permitted. This circular prescribes the *route* to be pursued, and the compensation to be paid ; and with a view to uniformity, if from no other consideration, should not now be departed from. Hitherto it has furnished the rule of compensation to all receivers, and, in the opinion of the committee, it is most liberal. During the time the petitioner was receiver, he claims to have made *eighteen journeys* from Demopolis to Mobile, to make his deposits ; and from a reference to the books of the department, it appears that his accounts have been audited there, and the amount carried to his credit for *twenty-three different trips* to make his deposits : a part of such trips having been made by land, (the ordinary mail route,) and a part upon the most extensive route by water. The petitioner's accounts are now closed at the department for the services hereinbefore referred to, and the committee indulge the opinion that there is no claim founded in law or equity which requires its again being opened. With these views the committee offer, for the consideration of the House, the following resolution :

*Resolved*, That the prayer of the petitioner ought not to be granted.

HOUSE OF REPRESENTATIVES,  
Washington, February 5, 1840.

SIR: The Committee of Claims, to whom the enclosed papers of Thomas Simpson have been referred, wish a copy of the circular of the 1st of May, 1831, fixing the compensation of receivers, &c., of the public money, under the law of 22d May, 1826. Any other information touching the claim

in question, in the power of the department, is desired. Has there been any instance in which a claim of this kind has been allowed? What was the annual salary of the claimant? And what amount did he receive for risk, depositing, and safekeeping of the public money? Your answer, with a return of the enclosed papers, is respectfully solicited.

I am, with great respect,

D. RUSSELL.

Hon. LEVI WOODBURY.

GENERAL LAND OFFICE, *February 8, 1840.*

SIR: The Secretary having referred to me your letter of the 5th instant, with the papers in the case of Thomas Simpson, late receiver of public moneys at Demopolis, Alabama, therewith enclosed, I herewith transmit, agreeably to your request, a copy of the circular of May 1st, 1831, fixing the compensation of receivers of public moneys, under the act of May 22d, 1826; and in reply to the inquiries contained in your letter, I have the honor to state that, so far as the action of this office is concerned, no departure from the rules prescribed in the circular above mentioned, as taken in connexion with the law upon which it is founded, has ever been permitted.

In the adjustment of the accounts of receivers, by this office, a uniform rule, applicable to all cases, is deemed indispensable; and I may add, that I cannot but regard the existing provisions regulating the compensation and allowances made to receivers and registers of land offices as not merely equitable, but liberal.

During the term in which the difference in accounts, of which Mr. Simpson complains, originated, the following amounts of compensation for his services as receiver of public moneys, (as will appear by reference to the records of accounts audited in this office,) were admitted to his credit in account with the United States, viz: -

In the year 1834, for salary	-	\$500 00	
for commissions	-	2,500 00	(max'm allowable.)
for risk in depositing money	400 20		
for travel, (to deposite)	-	256 00	
			\$3,656 20

In the year 1835, for salary	-	500 00	
for commissions, (max'm)	-	2,500 00	
for risk in depositing money	1,214 40		
for travel, (to deposite)	-	376 00	
			4,590 40

In 1st and 2d qrs. 1836, for salary	-	\$250 00	
for commissions (max.)	-	1,250 00	
for risk in depositing money	-	388 00	
for travel, (to deposite)	-	184 00	
			2,072 00

Making, in the aggregate, the sum of	-	10,318 60
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received by him during the aforesaid term of two years and a half, exclusive of other allowances for stationery, &c.

The sums deposited during the said term amount to \$1,251,000, at twenty-three different trips to deposite; a part of such trips having been made by land, (the ordinary mail-route,) and a part of them by the water route, the distance by which is much greater than by the other. For these services, as appears from the foregoing statement, he received credit from the United States to the amount of \$2,002 60 for his risk in taking charge of the money, and \$816 for travelling expenses in making the journeys to deposite, during the abovementioned term of his receivership, which is taken as embracing the period during which the disallowances on his charges for extraordinary compensation occurred.

The papers accompanying your letter are herewith returned to you.

I am, sir, with great respect, your obedient servant,

JAMES WHITCOMB,

*Commissioner.*

HON. DAVID RUSSELL,

*Chairman of the Committee of Claims,  
House of Representatives.*

*Circular to receivers of public moneys.*

TREASURY DEPARTMENT, May 1, 1831.

SIR: Several of the provisions of the circular of the 22d February, 1826, having been changed by subsequent instructions, and others having become obsolete, it has been deemed proper to modify the same in some respects, and embody in one instruction the regulations which, in future, and until otherwise directed, will govern the receivers of public moneys.

In addition to specie, and the bills of the Bank of the United States and its branches, which are receivable in all payments to the United States, receivers of public moneys are authorized to receive the notes of such of the incorporated banks of the State or Territory in which the land office is situated, as pay specie for their notes on demand, and are otherwise in good credit.

On the opening of a new land office, the receiver will publish, for the information of purchasers of public lands, in one newspaper in his district, a list of the description of funds which he is hereby authorized to receive; and he will give notice, in like manner, of any change which may occasionally take place. In such publication he will state that, although, for the accommodation of purchasers, the local or State bank-notes therein enumerated are at present receivable, yet their receipt may be discontinued at any time, without previous notice, if, in the opinion of the receiver, they cannot be safely received.

No bank-note of a less amount than five dollars is to be received, nor any that is not payable on demand.

So long as the notes of local or State banks are receivable, the receivers will note on each receipt for moneys received or paid by them, including their own and the register's compensation, the amount embraced in such receipt of each of the above description of funds, viz: Specie, \$ ; Bank of the United States and branches, \$ ; State banks, \$ .



If this endorsement be found impracticable during any public sale, it may, for that time, be dispensed with. The receivers will note on each monthly return rendered to this department a separate statement, or list, showing the aggregate amount received and paid by them during the month, in each description of funds, and the balance of each on hand.

The receivers will make their deposits in the following banks, viz :

1st. Those of Michigan, in the office of the Bank of the United States at Buffalo ;

2d. Those in Ohio, in the office of the Bank of the United States at Cincinnati ;

3d. Those in Indiana, in the office of the Bank of the United States at Louisville ;

4th. Those in Illinois and Missouri, in the office of the Bank of the United States at St. Louis ;

5th. Those in Mississippi, in the office of the Bank of the United States at Natchez ;

6th. Those in Louisiana, in the office of the Bank of the United States at New Orleans ;

7th. Those in Alabama and Florida, in the office of the Bank of the United States at Mobile ;

8th. Those in the Territory of Arkansas, in the offices of the Bank of the United States at St. Louis and Natchez—the receiver at Batesville, at the former ; the receiver at Little Rock, at the latter.

The receivers are also at liberty to make deposits in the Bank of the United States, or any of its offices, which they may find more convenient, other than those above designated, provided the funds so deposited be entered to the credit of the Treasurer of the United States, by the bank or office, unconditionally, as cash ; and when the moneys which they are authorized to receive will be thus credited in a nearer office, they are required to deposit in such office.

To facilitate the collection of the notes of the local or State banks, the receiver will, on making a deposit, give notice, in writing, by the mail or otherwise, to each of those banks in the State or Territory in which the land office is situated, of the amount of its notes contained in such deposit ; and if he is informed by the cashier of the bank in which he makes his deposits that the notes of any such bank have not been paid on demand, he will cease to receive the notes of such bank. It may be proper for the receiver, where it has not already been done, to take the first occasion to intimate, in respectful terms, to each of the local or State banks of his State or Territory, whose notes he may receive, the consequence that will result from a want of punctuality in paying its notes on presentation.

The receivers will also cease to receive any local or State bank-notes that the bank in which they are instructed to make their deposits may refuse to receive as cash, or which, in the exercise of a sound discretion, the receivers may not think it prudent to receive ; but, in either of these cases, they will give immediate information of their proceedings to this department. They will also give early notice to the other receivers in the same State or Territory.

When the public money in the hands of a receiver at the end of any month exceeds the sum of ten thousand dollars, it should be deposited without delay. But it must not be retained, under any circumstances, in contravention of the provisions of the act of the 10th May, 1800, which requires

that the moneys received by the receivers shall be transmitted within three months to the Treasurer of the United States, as they will thereby render themselves and their sureties liable under their official bonds.

It is essential that all the public moneys in the possession of the receivers should be deposited at the above intervals, reserving enough, in case the ordinary receipts of the office should be insufficient for the purpose, to pay their own and the register's salaries, together with the authorized expenses of their offices.

When deposits are made in sums less than ten thousand dollars, compensation for the expense and risk may be allowed, upon the aggregate of such deposits whenever it exceeds that sum; but no allowance can be made for the expense of making the deposit oftener than once a month.

Receivers will take duplicate receipts for each deposit which they may make. One of these receipts they will immediately forward to this office, and charge the amount in the first succeeding monthly return rendered to the Secretary of the Treasury. All vouchers for authorized disbursements should be transmitted with their quarterly accounts.

Instead of the compensation heretofore allowed to receivers under the act of the 22d May, 1826, for the expense, labor, and risk incurred in the transportation of the public moneys for deposit, the receivers will, from and after the first day of July next, be compensated by the following allowances, viz:

As a compensation for their expense and labor in the performance of this duty, they will be entitled to receive for every mile travelled from their respective offices to the bank of deposit, and returning, (computing the distance by the nearest route to the nearest office in which their deposits will be received as cash,) if by land, at the rate of twelve and a half cents per mile; if by water, six cents per mile; with such additional allowance for the transportation of specie as will remunerate them for the increased expense attending such transportation. Claims for such additional allowances for the transportation of specie must be supported by satisfactory vouchers.

As a compensation for the risk incurred, there will be allowed a per centage of the one-hundredth part of one per cent. on the amount deposited, for every ten miles of distance between the land office and place of deposit, by the nearest route.

For the sake of convenience and uniformity, it is desirable that the monthly duplicate returns required to be made to the Secretary of the Treasury and the Commissioner of the General Land Office should be made on a sheet of common post paper, and rendered in the form of that herewith enclosed.

I am, sir, very respectfully, your obedient servant,

S. D. INGHAM,

Secretary of the Treasury.



The first of these is the fact that the Government has been unable to secure the necessary funds to carry out its policy. This is due to the fact that the Government has been unable to secure the necessary funds to carry out its policy. This is due to the fact that the Government has been unable to secure the necessary funds to carry out its policy.

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I am, Sir, very respectfully, your obedient servant,

S. D. INGRAM  
Secretary of the Treasury